REMARKS

The objection to the absence of a summary is noted. However, the pertinent rule indicates that a summary is optional. Namely, 37 C.F.R. § 1.73 indicates that "such summary should, when set forth, be commensurate ... ." Thus, it is clear that it is optional whether or not a summary is set forth. Here, the present Applicant would prefer not to have a summary. Therefore, reconsideration is requested.

Claim 1 was rejected under Section 103 based on Forslöw in view of Kalliokulju. However, it is suggested that Forslöw teaches determining whether a mobile subscriber is currently in a packet data service network or a circuit data service network. Forslöw does not do this. In Forslöw what happens is the system simply puts the mobile subscriber in the circuit switched or the packet switched system to carry a specific flow. See Figure 4, block 64. Thus, Forslöw does not teach any of the claimed limitations. Namely, he does not teach determining whether the mobile subscriber is in one of the other networks and, if the subscriber is in a packet data network, determining the mobility management state.

The Kalliokulju reference is cited as teaching closing applications. However, all that reference suggests is an idle state wherein paging signaling is not conducted. There is no reason to presume that any applications are closed. Those applications may, and necessarily do, stay open unless something is done to close them. There is nothing in the reference that suggests closing any applications and no reason to believe that any such thing is done. Therefore, neither reference or their combination teaches determining whether a mobile subscriber is currently in a packet data service network or a circuit data service network and, based on that determination, making additional actions. Neither reference or their combination teaches automatically closing packet data service applications if the mobility management state is idle.

To simply presume that Kalliokulju closes the application is without basis because there is nothing to suggest that that inventor realized that if the applications were not closed problems could occur such as executing those applications when the system is in the wrong mode. To presume that the reference does what is claimed is to apply inherency beyond its limits. To be inherent, the reference must necessarily do what is claimed. Here, it is not necessary that the reference do what is claimed. It can, and presumably does, allow unused applications to remain
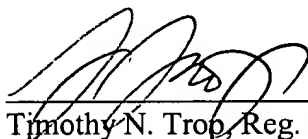
open. In the absence of any recognition of a problem from doing so, there is no reason to presume that the cited reference solves that problem.

The citation at column 4, lines 37-67, presumably of Kalliokulju, is noted. But the broad suggestion that power consumption be saved does not teach how to save power. To simply go and say that because doing what is claimed might save power, therefore, the broad assertion of saving power thereby anticipates every invention which ever figures out a way to save power is a non-sequitor.

Therefore, there is no basis to combine the two references and the references, even if combined, fail to meet all the claim limitations. Reconsideration of the rejection of claim 1 is respectfully requested. On the same basis, the other claims should likewise be in condition for allowance.

Respectfully submitted,

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